

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: MARCH 7, 2007

DEPARTMENT: NEIGHBORHOOD SERVICES**DIRECTOR: STEPHEN HARSIN**☐ Consent ☒ Discussion**SUBJECT:**

Public Hearing to consider the report of expenses to recover costs for mitigation abatement of vacant or abandoned building and assess civil penalties located at 629 W. McWilliams Avenue.

PROPERTY OWNER: TOUY KEN - Ward 5 (Weekly)

Fiscal Impact☐**No Impact**☐**Augmentation Required**☒**Budget Funds Available**

Amount: \$12,970.00

Funding Source: General Fund

Dept./Division: Neighborhood Services/Response

PURPOSE/BACKGROUND:

The condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken nor an appeal filed the Department of Neighborhood Services hired C.W. Enterprises to landscape front and sides (rock landscape), paint exterior, replace windows, apply protective covering, remove refuse, waste, trash, litter, vegetation, and repair or replace drip edge. To date, there have been thirteen (13) inspections conducted at this location. The value of the property based on the sale date of November 2005 was \$150,000.00.

RECOMMENDATION:

That the City Council: Approve the report of expenses in the amount of \$9,400.00 for work completed by C. W. Enterprises, plus a 15% administrative fee of \$1,410.00, reinspection fees (including late fees) of \$210.00, civil penalties in the amount of \$1,950.00, for a total amount of \$12,970.00, and that the above charges be filed and recorded against the property, constituting a special assessment and lien, and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer.

BACKUP DOCUMENTATION:

1. Agenda Memo
2. Location Map
3. Report of Expenses
4. Contractor Disclosure
5. Notice of Public Hearing
6. Chronological List of Events
7. Copy of the Notice and Claim of Lien

Motion made by GARY REESE to Approve

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Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

LARRY BROWN, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

Video shown but not submitted.

MAYOR GOODMAN declared the Public Hearing open.

DEVIN SMITH, Manager of Neighborhood Response, indicated the condition of the property was a public hazard and an attractive nuisance. The Department of Neighborhood Services declared the property in violation and started legal notification. When no corrective action was taken, nor an appeal filed, the Department of Neighborhood Services hired C.W. Enterprises to landscape front and side yards with rock landscape, paint exterior, replace windows, apply protective covering, remove refuse, waste, trash, debris, vegetation, and repair drip edge. To date there have been 13 inspections at this location. The value of the property based on the sale date of 2005 was \$150,000. MR. SMITH recommended that the City Council approve the report of expenses in the amount of \$9,400, plus a 15 percent administrative fee of \$1,410, reinspection and late fees of \$210, civil penalties in the amount of \$1,950, for a total of \$12,970, and that the above charges be filed and recorded against the property, constituting a special assessment and lien and authorize that the Notice and Lien of Assessment be duly recorded with the County Treasurer. He further added that, at the Council's discretion, daily civil penalties may be imposed from August 25, 2006 to October 9, 2006, in the amount of \$23,000.

The property owner was not present.

MAYOR GOODMAN declared the Public Hearing closed.